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NOTE

16-26630

OF THE

SECRETARY OF STATE

OF THE UNITED STATES

TO THE

SECRETARY OF FOREIGN RELATIONS

OF THE DE FACTO GOVERNMENT OF MEXICO

DATED

JUNE 20, 1916

By S. B. ...



WASHINGTON
GOVERNMENT PRINTING OFFICE

1916

By S. B. ...

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IN THE HOUSE OF REPRESENTATIVES,

June 23, 1916.

Ordered, That the note of the Secretary of State to the Secretary of Foreign Relations of the de facto Government of Mexico of June 20, 1916, be printed as a House Document.

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JUL 7 1916

Attn. Mr. C., May 11-16

NOTE.

DEPARTMENT OF STATE,

Washington, June 20, 1916.

SIR: I have read your communication, which was delivered to me on May 22, 1916, under instructions of the Chief Executive of the *de facto* Government of Mexico, on the subject of the presence of American troops in Mexican territory, and I would be wanting in candor if I did not, before making answer to the allegations of fact and the conclusions reached by your Government, express the surprise and regret which have been caused this Government by the discourteous tone and temper of this last communication of the *de facto* Government of Mexico.

The Government of the United States has viewed with deep concern and increasing disappointment the progress of the revolution in Mexico. Continuous bloodshed and disorders have marked its progress. For three years the Mexican Republic has been torn with civil strife; the lives of Americans and other aliens have been sacrificed; vast properties developed by American capital and enterprise have been destroyed or rendered nonproductive; bandits have been permitted to roam at will through the territory contiguous to the United States and to seize, without punishment or without effective attempt at punishment, the property of Americans, while the lives of citizens of the United States who ventured to remain in Mexican territory or to return there to protect their interests have been taken, and in some cases barbarously taken, and the murderers have neither been apprehended nor brought to justice. It would be difficult to find in the annals of the history of Mexico conditions more deplor-

able than those which have existed there during these recent years of civil war.

It would be tedious to recount instance after instance, outrage after outrage, atrocity after atrocity, to illustrate the true nature and extent of the widespread conditions of lawlessness and violence which have prevailed. During the past nine months in particular, the frontier of the United States along the lower Rio Grande has been thrown into a state of constant apprehension and turmoil because of frequent and sudden incursions into American territory and depredations and murders on American soil by Mexican bandits, who have taken the lives and destroyed the property of American citizens, sometimes carrying American citizens across the international boundary with the booty seized. American garrisons have been attacked at night, American soldiers killed and their equipment and horses stolen; American ranches have been raided, property stolen and destroyed, and American trains wrecked and plundered. The attacks on Brownsville, Red House Ferry, Progreso Post Office, and Las Peladas, all occurring during September last, are typical. In these attacks on American territory, Carrancista adherents, and even Carrancista soldiers took part in the looting, burning, and killing. Not only were these murders characterized by ruthless brutality, but uncivilized acts of mutilation were perpetrated. Representations were made to General Carranza and he was emphatically requested to stop these reprehensible acts in a section which he has long claimed to be under the complete domination of his authority. Notwithstanding these representations and the promise of General Nafarrete to prevent attacks along the international boundary, in the following month of October a passenger train was wrecked by bandits and several persons killed seven miles north of Brownsville, and an attack was made upon United State troops at the same place several days later. Since these attacks leaders of the bandits well known both to Mexican civil and military authorities as well as to American officers have been enjoying with impunity the liberty of the towns of northern Mexico. So far has the in-

difference of the *de facto* Government to these atrocities gone that some of these leaders, as I am advised, have received not only the protection of that Government, but encouragement and aid as well.

Depredations upon American persons and property within Mexican jurisdiction have been still more numerous. This Government has repeatedly requested in the strongest terms that the *de facto* Government safeguard the lives and homes of American citizens and furnish the protection, which international obligation imposes, to American interests in the Northern States of Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, and Sonora, and also in the States to the South. For example, on January 3d troops were requested to punish the bands of outlaws which looted the Cusi mining property, eighty miles west of Chihuahua, but no effective results came from this request. During the following week the bandit Villa with his band of about 200 men was operating without opposition between Rubio and Santa Ysabel, a fact well known to Carrancista authorities. Meanwhile a party of unfortunate Americans started by train from Chihuahua to visit the Cusi mines, after having received assurances from the Carrancista authorities in the State of Chihuahua that the country was safe, and that a guard on the train was not necessary. The Americans held passports or safe conducts issued by authorities of the *de facto* Government. On January 10th the train was stopped by Villa bandits and eighteen of the American party were stripped of their clothing and shot in cold blood, in what is now known as "the Santa Ysabel massacre." General Carranza stated to the Agent of the Department of State that he had issued orders for the immediate pursuit, capture, and punishment of those responsible for this atrocious crime, and appealed to this Government and to the American people to consider the difficulties of according protection along the railroad where the massacre occurred. Assurances were also given by Mr. Arredondo, presumably under instructions from the *de facto* Government, that the murders would be brought to justice, and that steps would also be taken

to remedy the lawless conditions existing in the State of Durango. It is true that Villa, Castro, and Lopez were publicly declared to be outlaws and subject to apprehension and execution, but so far as known, only a single man personally connected with this massacre has been brought to justice by Mexican authorities. Within a month after this barbarous slaughter of inoffensive Americans it was notorious that Villa was operating within twenty miles of Cusihuiriachic, and publicly stated that his purpose was to destroy American lives and property. Despite repeated and insistent demands that military protection should be furnished to Americans, Villa openly carried on his operations, constantly approaching closer and closer to the border. He was not intercepted, nor were his movements impeded by troops of the *de facto* Government, and no effectual attempt was made to frustrate his hostile designs against Americans. In fact, as I am informed, while Villa and his band were slowly moving toward the American frontier in the neighborhood of Columbus, New Mexico, not a single Mexican soldier was seen in his vicinity. Yet the Mexican authorities were fully cognizant of his movements, for on March 6th, as General Gavira publicly announced, he advised the American military authorities of the outlaw's approach to the border, so that *they* might be prepared to prevent him from crossing the boundary. Villa's unhindered activities culminated in the unprovoked and cold-blooded attack upon American soldiers and citizens in the town of Columbus on the night of March 9th, the details of which do not need repetition here in order to refresh your memory with the heinousness of the crime. After murdering, burning, and plundering, Villa and his bandits fleeing south passed within sight of the Carrancista military post at Casas Grandes, and no effort was made to stop him by the officers and garrison of the *de facto* Government stationed there.

In the face of these depredations not only on American lives and property on Mexican soil but on American soldiers, citizens and homes on American territory, the perpetrators of which General Carranza was unable or

possibly considered it inadvisable to apprehend and punish, the United States had no recourse other than to employ force to disperse the bands of Mexican outlaws who were with increasing boldness systematically raiding across the international boundary. The marauders engaged in the attack on Columbus were driven back across the border by American cavalry, and subsequently, as soon as a sufficient force to cope with the band could be collected, were pursued into Mexico in an effort to capture or destroy them. Without co-operation or assistance in the field on the part of the *de facto* Government, despite repeated requests by the United States, and without apparent recognition on its part of the desirability of putting an end to these systematic raids, or of punishing the chief perpetrators of the crimes committed, because they menaced the good relations of the two countries, American forces pursued the lawless bands as far as Parral, where the pursuit was halted by the hostility of Mexicans, presumed to be loyal to the *de facto* Government, who arrayed themselves on the side of outlawry and became in effect the protectors of Villa and his band.

In this manner and for these reasons have the American forces entered Mexican territory. Knowing fully the circumstances set forth the *de facto* Government cannot be blind to the necessity which compelled this Government to act and yet it has seen fit to recite groundless sentiments of hostility toward the expedition and to impute to this Government ulterior motives for the continued presence of American troops on Mexican soil. It is charged that these troops crossed the frontier without first obtaining the consent or permission of the *de facto* Government. Obviously, as immediate action alone could avail, there was no opportunity to reach an agreement (other than that of March 10th-13th now repudiated by General Carranza) prior to the entrance of such an expedition into Mexico if the expedition was to be effective. Subsequent events and correspondence have demonstrated to the satisfaction of this Government that General Carranza would not have entered into any agreement providing for an effective plan for the capture and

destruction of the Villa bands. While the American troops were moving rapidly southward in pursuit of the raiders, it was the form and nature of the agreement that occupied the attention of General Carranza rather than the practical object which it was to attain—the number of limitations that could be imposed upon the American forces to impede their progress rather than the obstacles that could be raised to prevent the escape of the outlaws. It was General Carranza who suspended through your note of April 12th all discussions and negotiations for an agreement along the lines of the Protocols between the United States and Mexico concluded during the period 1882–1896, under which the two countries had so successfully restored peaceful conditions on their common boundary. It may be mentioned here that, notwithstanding the statement in your note that “the American Government gave no answer to the note of the 12th of April,” this note was replied to on April 14th, when the Department instructed Mr. Rodgers by telegraph to deliver this Government’s answer to General Carranza. Shortly after this reply the conferences between Generals Scott, Funston and Obregon began at El Paso, during which they signed on May 2d a project of a memorandum *ad referendum* regarding the withdrawal of American troops. As an indication of the alleged bad faith of the American Government, you state that though General Scott declared in this memorandum that the destruction and dispersion of the Villa band “had been accomplished,” yet American forces are not withdrawn from Mexico. It is only necessary to read the memorandum, which is in the English language, to ascertain that this is clearly a misstatement, for the memorandum states that “the American punitive expeditionary forces have destroyed or dispersed many of the lawless elements and bandits, * * * or have driven them far into the interior of the Republic of Mexico,” and further, that the United States forces were then “carrying on a vigorous pursuit of such small numbers of bandits or lawless elements as may have escaped.” The context of your note gives the impression that the object of the expedition

being admittedly accomplished, the United States had agreed in the memorandum to begin the withdrawal of its troops. The memorandum shows, however, that it was not alone on account of partial dispersion of the bandits that it was decided to begin the withdrawal of American forces, but equally on account of the assurances of the Mexican Government that their forces were "at the present time being augmented and strengthened to such an extent that they will be able to prevent any disorders occurring in Mexico that would in any way endanger American territory," and that they would "continue to diligently pursue, capture or destroy any lawless bands of bandits that may still exist or hereafter exist in the northern part of Mexico," and that it would "make a proper distribution of such of its forces as may be necessary to prevent the possibility of invasion of American territory from Mexico." It was because of these assurances and because of General Scott's confidence that they would be carried out that he stated in the memorandum that the American forces would be "*gradually* withdrawn." It is to be noted that, while the American Government was willing to ratify this agreement, General Carranza refused to do so, as General Obregon stated, because, among other things, it imposed improper conditions upon the Mexican Government.

Notwithstanding the assurances in the memorandum, it is well known that the forces of the *de facto* Government have not carried on a vigorous pursuit of the remaining bandits and that no proper distribution of forces to prevent the invasion of American territory has been made, as will be shown by the further facts hereinafter set forth. I am reluctant to be forced to the conclusion which might be drawn from these circumstances that the *de facto* Government, in spite of the crimes committed and the sinister designs of Villa and his followers, did not and does not now intend or desire that these outlaws should be captured, destroyed, or dispersed by American troops or, at the request of this Government, by Mexican troops.

While the conferences at El Paso were in progress, and after the American conferees had been assured on May 2d that the Mexican forces in the northern part of the Republic were then being augmented so as to be able to prevent any disorders that would endanger American territory, a band of Mexicans, on the night of May 5th, made an attack at Glenn Springs, Texas, about twenty miles north of the border, killing American soldiers and civilians, burning and sacking property and carrying off two Americans as prisoners. Subsequent to this event, the Mexican Government, as you state, "gave instructions to General Obregon to notify that of the United States that it would not permit the further passage of American troops into Mexico on this account, and that orders had been given to all military commanders along the frontier not to consent to same." This Government is of course not in a position to dispute the statement that these instructions had been given to General Obregon, but it can decisively assert that General Obregon never gave any such notification to General Scott or General Funston or, so far as known, to any other American official. General Obregon did, however, inquire as to whether American troops had entered Mexico in pursuit of the Glenn Springs raiders, and General Funston stated that no orders had been issued to American troops to cross the frontier on account of the raid, but this statement was made before any such orders had been issued, and not afterwards, as the erroneous account of the interview given in your note would appear to indicate. Moreover, no statement was made by the American Generals that "no more American troops would cross into our territory." On the contrary, it was pointed out to General Obregon and to Mr. Juan Amador, who was present at the conference, and pointed out with emphasis, that the bandits de la Rosa and Pedro Vinó, who had been instrumental in causing the invasion of Texas above Brownsville, were even then reported to be arranging in the neighborhood of Victoria for another raid across the border, and it was made clear to General Obregon that if the Mexican Government did not take

immediate steps to prevent another invasion of the United States by these marauders, who were frequently seen in the company of General Nafarrete, the Constitutionalist commander, Mexico would find in Tamaulipas another punitive expedition similar to that then in Chihuahua. American troops crossed into Mexico on May 10th, upon notification to the local military authorities, under the repudiated agreement of March 10-13th, or in any event in accordance with the practice adopted over forty years ago, when there was no agreement regarding pursuit of marauders across the international boundary. These troops penetrated 168 miles into Mexican territory in pursuit of the Glenn Springs marauders without encountering a detachment of Mexican troops or a single Mexican soldier. Further discussion of this raid, however, is not necessary, because the American forces sent in pursuit of the bandits recrossed into Texas on the morning of May 22d, the date of your note under consideration—a further proof of the singleness of purpose of this Government in endeavoring to quell disorder and stamp out lawlessness along the border.

During the continuance of the El Paso conferences, General Scott you assert, did not take into consideration the plan proposed by the Mexican Government for the protection of the frontier by the reciprocal distribution of troops along the boundary. This proposition was made by General Obregon a number of times, but each time conditioned upon the immediate withdrawal of American troops, and the Mexican conferees were invariably informed that *immediate* withdrawal could not take place, and that therefore it was impossible to discuss the project on that basis.

I have noted the fact that your communication is not limited to a discussion of the deplorable conditions existing along the border and their important bearing on the peaceful relations of our Governments, but that an effort is made to connect it with other circumstances in order to support, if possible, a mistaken interpretation of the attitude of the Government of the United States toward Mexico. You state in effect that the American Govern-

ment has placed every obstacle in the way of attaining the pacification of Mexico, and that this is shown by the volume of diplomatic representations in behalf of American interests which constantly impede efforts to reorganize the political, economical, and social conditions of the country; by the decided aid lent at one time to Villa by American officers and by the Department of State; by the aid extended by the American Catholic clergy to that of Mexico; by the constant activity of the American press in favor of intervention and the interests of American business men; by the shelter and supply of rebels and conspirators on American territory; by the detention of shipments of arms and munitions purchased by the Mexican Government; and by the detention of machinery intended for their manufacture.

In reply to this sweeping charge, I can truthfully affirm that the American Government has given every possible encouragement to the *de facto* Government in the pacification and rehabilitation of Mexico. From the moment of its recognition, it has had the undivided support of this Government. An embargo was placed upon arms and ammunition going into Chihuahua, Sonora, and Lower California, in order to prevent their falling into the hands of the armed opponents of the *de facto* Government. Permission has been granted from time to time, as requested, for Mexican troops and equipment to traverse American territory from one point to another in Mexico in order that the operations of Mexican troops against Villa and his forces might be facilitated. In view of these friendly acts, I am surprised that the *de facto* Government has construed diplomatic representations in regard to the unjust treatment accorded American interests, private assistance to opponents to the *de facto* Government by sympathizers in a foreign country, and the activity of a foreign press as interference by the United States Government in the domestic politics of Mexico. If a denial is needed that this Government has had ulterior and improper motives in its diplomatic representations, or has countenanced the activities of American sympathizers and the American press opposed to

the *de facto* Government, I am glad most emphatically to deny it. It is, however, a matter of common knowledge that the Mexican press has been more active than the press in the United States in endeavoring to inflame the two peoples against each other and to force the two countries into hostilities. With the power of censorship of the Mexican press, so rigorously exercised by the *de facto* Government, the responsibility for this activity cannot, it would seem, be avoided by that Government, and the issue of the appeal of General Carranza himself in the press of March 12th, calling upon the Mexican people to be prepared for any emergency which might arise, and intimating that war with the United States was imminent, evidences the attitude of the *de facto* Government toward these publications. It should not be a matter of surprise that, after such manifestations of hostile feeling, the United States was doubtful of the purpose for which the large amount of ammunition was to be used which the *de facto* Government appeared eager to import from this country. Moreover, the policy of the *de facto* Government in refusing to co-operate and in failing to act independently in destroying the Villa bandits and in otherwise suppressing outlawry in the vicinity of the border so as to remove the danger of war materials, while passing southward through this zone, falling into the hands of the enemies of law and order is, in the opinion of this Government, a sufficient ground, even if there were no other, for the refusal to allow such materials to cross the boundary into the bandit-infested region. To have permitted these shipments without careful scrutiny would, in the circumstances, have been to manifest a sense of security which would have been unjustified.

Candor compels me to add that the unconcealed hostility of the subordinate military commanders of the *de facto* Government toward the American troops engaged in pursuing the Villa bands and the efforts of the *de facto* Government to compel their withdrawal from Mexican territory by threats and show of military force instead of by aiding in the capture of the outlaws con-

stitute a menace to the safety of the American troops and to the peace of the border. As long as this menace continues and there is any evidence of an intention on the part of the *de facto* Government or its military commanders to use force against the American troops instead of co-operating with them, the Government of the United States will not permit munitions of war or machinery for their manufacture to be exported from this country to Mexico.

As to the shelter and supply of rebels and conspirators on American territory, I can state that vigorous efforts have been and are being made by the agents of the United States to apprehend and bring to justice all persons found to be conspiring to violate the laws of the United States by organizing to oppose with arms the *de facto* Government of Mexico. Political refugees have undoubtedly sought asylum in the United States, but this Government has vigilantly kept them under surveillance and has not hesitated to apprehend them upon proof of their criminal intentions, as the arrest of General Huerta and others fully attests.

Having corrected the erroneous statements of fact to which I have adverted, the real situation stands forth in its true light. It is admitted that American troops have crossed the international boundary in hot pursuit of the Columbus raiders and without notice to or the consent of your Government but the several protestations on the part of this Government by the President, by this Department, and by other American authorities, that the object of the expedition was to capture, destroy, or completely disperse the Villa bands of outlaws or to turn this duty over to the Mexican authorities when assured that it would be effectively fulfilled, have been carried out in perfect good faith by the United States. Its efforts, however, have been obstructed at every point; first, by insistence on a palpably useless agreement which you admit was either not to apply to the present expedition or was to contain impracticable restrictions on its organization and operation; then by actual opposition, encouraged and fostered by the *de facto* Government, to

the further advance of the expedition into Villa territory, which was followed by the sudden suspension of all negotiations for an arrangement for the pursuit of Villa and his followers and the protection of the frontier; and finally by a demand for the immediate withdrawal of the American troops. Meantime, conditions of anarchy in the border States of Mexico were continually growing worse. Incursions into American territory were plotted and perpetrated; the Glenn Springs raid was successfully executed, while no effective efforts were being made by General Carranza to improve the conditions and to protect American territory from constant threat of invasion. In view of this increasing menace, of the inactivity of the Carranza forces, of the lack of co-operation in the apprehension of the Villa bands, and of the known encouragement and aid given to bandit leaders, it is unreasonable to expect the United States to withdraw its forces from Mexican territory or to prevent their entry again when their presence is the only check upon further bandit outrages and the only efficient means of protecting American lives and homes—safeguards which General Carranza, though internationally obligated to supply, is manifestly unable or unwilling to give.

In view of the actual state of affairs as I have outlined it above, I am now in a position to consider the conclusions which you have drawn in your note under acknowledgment from the erroneous statements of fact which you have set forth.

Your Government intimates, if it does not openly charge, that the attitude of the United States is one of insincerity, distrust, and suspicion toward the *de facto* Government of Mexico, and that the intention of the United States in sending its troops into Mexico is to extend its sovereignty over Mexican territory, and not merely for the purpose of pursuing marauders and preventing future raids across the border. The *de facto* Government charges by implication which admits of but one interpretation, that this Government has as its object territorial aggrandizement even at the expense of a war of aggression against a neighbor weakened by years of

civil strife. The Government of the United States, if it had had designs upon the territory of Mexico, would have had no difficulty in finding during this period of revolution and disorder many plausible arguments for intervention in Mexican affairs. Hoping, however, that the people of Mexico would through their own efforts restore peace and establish an orderly government, the United States has awaited with patience the consummation of the revolution.

When the superiority of the revolutionary faction led by General Carranza became undoubted, the United States, after conferring with six others of the American Republics, recognized unconditionally the present *de facto* Government. It hoped and expected that that Government would speedily restore order and provide the Mexican people and others, who had given their energy and substance to the development of the great resources of the Republic, opportunity to rebuild in peace and security their shattered fortunes.

This Government has waited month after month for the consummation of its hope and expectation. In spite of increasing discouragements, in spite of repeated provocations to exercise force in the restoration of order in the northern regions of Mexico, where American interests have suffered most seriously from lawlessness, the Government of the United States has refrained from aggressive action and sought by appeals and moderate though explicit demands to impress upon the *de facto* Government the seriousness of the situation and to arouse it to its duty to perform its international obligations toward citizens of the United States who had entered the territory of Mexico or had vested interests within its boundaries.

In the face of constantly renewed evidences of the patience and restraint of this Government in circumstances which only a government imbued with unselfishness and a sincere desire to respect to the full the sovereign rights and national dignity of the Mexican people would have endured, doubts and suspicions as to the motives of the Government of the United States are

expressed in your communication of May 22d, for which I can imagine no purpose but to impugn the good faith of this Government for I find it hard to believe that such imputations are not universally known to be without the least shadow of justification in fact.

Can the *de facto* Government doubt that, if the United States had turned covetous eyes on Mexican territory, it could have found many pretexts in the past for the gratification of its desire? Can that Government doubt that months ago, when the war between the revolutionary factions was in progress, a much better opportunity than the present was afforded for American intervention, if such has been the purpose of the United States as the *de facto* Government now insinuates? What motive could this Government have had in refraining from taking advantage of such opportunities other than unselfish friendship for the Mexican Republic? I have of course given consideration to your argument that the responsibility for the present situation rests largely upon this Government. In the first place, you state that even the American forces along the border whose attention is undivided by other military operations, "Find themselves physically unable to protect effectively the frontier on the American side." Obviously, if there is no means of reaching bands roving on Mexican territory and making sudden dashes at night into American territory it is impossible to prevent such invasions unless the frontier is protected by a cordon of troops. No government could be expected to maintain a force of this strength along the boundary of a nation with which it is at peace for the purpose of resisting the onslaughts of a few bands of lawless men, especially when the neighboring state makes no effort to prevent these attacks. The most effective method of preventing raids of this nature, as past experience has fully demonstrated, is to visit punishment or destruction on the raiders. It is precisely this plan which the United States desires to follow along the border without any intention of infringing upon the sovereign rights of her neighbor, but which, although ob-

viously advantageous to the *de facto* Government, it refuses to allow or even countenance. It is in fact protection to American lives and property about which the United States is solicitous and not the methods or ways in which that protection shall be accomplished. If the Mexican Government is unwilling or unable to give this protection by preventing its territory from being the rendezvous and refuge of murderers and plunderers, that does not relieve this Government from its duty to take all the steps necessary to safeguard American citizens on American soil. The United States Government can not and will not allow bands of lawless men to establish themselves upon its borders with liberty to invade and plunder American territory with impunity and, when pursued, to seek safety across the Rio Grande, relying upon the plea of their Government that the integrity of the soil of the Mexican Republic must not be violated.

The Mexican Government further protests that it has "made every effort on its part to protect the frontier" and that it is doing "all possible to avoid a recurrence of such acts." Attention is again invited to the well-known and unrestricted activity of de la Rosa, Ancieto Piscano Pedro Vinos and others in connection with border raids and to the fact that, as I am advised, up to June 4th de la Rosa was still collecting troops at Monterey for the openly avowed purpose of making attacks on Texan border towns and that Pedro Vino was recruiting at other places for the same avowed purpose. I have already pointed out the uninterrupted progress of Villa to and from Columbus, and the fact that the American forces in pursuit of the Glenn Springs marauders penetrated 168 miles into Mexican territory without encountering a single Carrancista soldier. This does not indicate that the Mexican Government is doing "all possible" to avoid further raids; and if it is doing "all possible," this is not sufficient to prevent border raids, and there is every reason, therefore, why this Government must take such preventive measures as it deems sufficient.

It is suggested that injuries suffered on account of bandit raids are a matter of "pecuniary reparation" but

"never the cause for American forces to invade Mexican soil." The precedents which have been established and maintained by the Government of the Mexican Republic for the last half century do not bear out this statement. It has grown to be almost a custom not to settle depredations of bandits by payments of money alone, but to quell such disorders and to prevent such crimes by swift and sure punishment.

The *de facto* Government finally argues that "if the frontier were duly protected from incursions from Mexico there would be no reason for the existing difficulty"; thus the *de facto* Government attempts to absolve itself from the first duty of any Government, namely, the protection of life and property. This is the paramount obligation for which governments are instituted, and governments neglecting or failing to perform it are not worthy of the name. This is the duty for which General Carranza, it must be assumed, initiated his revolution in Mexico and organized the present Government and for which the United States Government recognized his government as the *de facto* Government of Mexico. Protection of American lives and property, then, in the United States is first the obligation of this Government, and in Mexico is, first, the obligation of Mexico, and second, the obligation of the United States. In securing this protection along the common boundary the United States has a right to expect the cooperation of its neighboring Republic; and yet, instead of taking steps to check or punish the raiders, the *de facto* Government demurs and objects to measures taken by the United States. The Government of the United States does not wish to believe that the *de facto* Government approves these marauding attacks, yet as they continue to be made, they show that the Mexican Government is unable to repress them. This inability, as this Government has had occasion in the past to say, may excuse the failure to check the outrages complained of, but it only makes stronger the duty of the United States to prevent them, for if the Government of Mexico can not protect the lives and property of Americans, exposed to attack from Mexicans.



the Government of the United States is in duty bound, so far as it can, to do so.

In conclusion, the Mexican Government invites the United States to support its "assurances of friendship with real and effective acts" which "can be no other than the immediate withdrawal of the American troops." For the reasons I have herein fully set forth, this request of the *de facto* Government can not now be entertained. The United States has not sought the duty which has been forced upon it of pursuing bandits who under fundamental principles of municipal and international law, ought to be pursued and arrested and punished by Mexican authorities. Whenever Mexico will assume and effectively exercise that responsibility the United States, as it has many times before publicly declared, will be glad to have this obligation fulfilled by the *de facto* Government of Mexico. If, on the contrary, the *de facto* Government is pleased to ignore this obligation and to believe that "in case of a refusal to retire these troops there is no further recourse than to defend its territory by an appeal to arms," the Government of the United States would surely be lacking in sincerity and friendship if it did not frankly impress upon the *de facto* Government that the execution of this threat will lead to the gravest consequences. While this Government would deeply regret such a result, it cannot recede from its settled determination to maintain its national rights and to perform its full duty in preventing further invasions of the territory of the United States and in removing the peril which Americans along the international boundary have borne so long with patience and forbearance.

Accept, etc.,

ROBERT LANSING.



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